Legislation Details (With Text)

File #:	RES PH 18-295 **Version:** 1		
Type:	Resolution-Public Hearing	**Status:**	Passed
		In control:	City Council
		Final action:	10/3/2018

Title: Approving adverse action against the Auto Repair Garage, Gas Station, and Cigarette/Tobacco licenses held by Sunray Gas, LLC, d/b/a Sunray BP at 344 Ruth Street North.

Sponsors: Jane L. Prince

Indexes:

Code sections:

Attachments: 1. Notice of Council Hearing with Affidavit of Service dated September 18th 2018.pdf, 2. Uncontested License Matter Coversheet.pdf, 3. Letter from Thomas Ferrara to Cigarette-Tobacco Holders dated June 6th 2018.pdf, 4. Inspection Report with supporting documentation dated August 8th 2018.pdf, 5. Notice of Violation with Affidavit of Service dated August 27th 2018.pdf, 6. Email and letter from licensee requesting a public hearing dated September 6th 2018.pdf, 7. Notice of Violation with Affidavit of Service dated December 13th 2017.pdf, 8. Email from Linda Koran indicating $500 matrix penalty payment dated December 28th 2017.pdf, 9. Notice of Violation with Affidavit of Service dated June 28th 2018.pdf, 10. Amended Signature Copy of RES PH #18-206 signed by the Mayor on August 7th 2018.pdf, 11. Notice of City Council Action dated August 22nd 2018.pdf, 12. License Group Comments Text dated August 27th 2018.pdf, 13. Saint Paul Legislative Code Section 324.07.pdf, 14. Saint Paul Legislative Code Section 324.11.pdf, 15. Minn. Stat. Section 609.685.pdf

Date	Ver.	Action By	Action	Result
10/8/2018	1	Mayor's Office	Signed	
10/3/2018	1	City Council	Adopted	Pass

Approving adverse action against the Auto Repair Garage, Gas Station, and Cigarette/Tobacco licenses held by Sunray Gas, LLC, d/b/a Sunray BP at 344 Ruth Street North.

WHEREAS, Auto Repair Garage, Gas Station and Cigarette/Tobacco licenses held by Sunray Gas, LLC d/b/a Sunray BP (License ID #20150000438) for the premises located at 344 Ruth Street North in Saint Paul were the subject of a Notice of Violation sent August 27, 2018; and

WHEREAS, the Notice stated that during a tobacco compliance check at the licensed premises on August 8, 2018 an employee of the licensee sold Newport cigarettes to an underage person in violation of Minn. Stat. § 609.685 and Saint Paul Legislative Code
§ 324.07 (d); and

WHEREAS, this was the third violation within the past eighteen (18) months; and

WHEREAS, per Saint Paul Legislative Code § 324.11 (b)(1), the licensing office recommended an $800.00 matrix penalty and seven (7) day suspension of the Cigarette/ Tobacco license; and

WHEREAS, the licensee responded to the Notice of Violation with a request for a public hearing which was scheduled on October 3, 2018; now therefore, be it

RESOLVED, Sunray Gas, LLC d/b/a Sunray BP (License ID #20150000438) for the premises located at 344

Ruth Street North is hereby ordered to pay an $800.00 matrix penalty for the sale of Newport Cigarettes to an underage person on August 8, 2018.

Payment of such penalty shall be made within thirty (30) days of the date of the adoption of this resolution.

FURTHER RESOLVED, the Cigarette/Tobacco license held by Sunray Gas, LLC d/b/a Sunray BP is hereby suspended for a period of seven (7) days. Said suspension shall begin at 12:00 midnight on Wednesday, October 24, 2018 and end at 11:59 p.m. on Tuesday, October 30, 2018.